

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES;
NATIONAL INSTITUTES OF HEALTH;
ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of the United States
Department of Health and Human Services;
UNITED STATES DEPARTMENT OF
JUSTICE; PAMELA J. BONDI, in her
official capacity as Attorney General of the
United States; UNITED STATES
DEPARTMENT OF EDUCATION; LINDA
M. MCMAHON, in her official capacity as
Secretary of the United States Department of
Education; UNITED STATES GENERAL
SERVICES ADMINISTRATION; STEPHEN
EHIKIAN, in his official capacity as Acting
Administrator of the United States General
Services Administration; UNITED STATES
DEPARTMENT OF ENERGY;
CHRISTOPHER A. WRIGHT, in his official
capacity as Secretary of the United States
Department of Energy; UNITED STATES
NATIONAL SCIENCE FOUNDATION;
SETHURAMAN PANCHANATHAN, in his
official capacity as Director of the United
States National Science Foundation; UNITED
STATES DEPARTMENT OF DEFENSE;
PETER B. HEGSETH, in his official capacity
as Secretary of the United States Department
of Defense; NATIONAL AERONAUTICS
AND SPACE ADMINISTRATION; JANET
E. PETRO, in her official capacity as Acting
Administrator of the National Aeronautics and
Space Administration; UNITED STATES
DEPARTMENT OF AGRICULTURE;
BROOKE L. ROLLINS, in her official

Civil Action No. 1:25-cv-11048-ADB

capacity as Secretary of Agriculture; UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; and SCOTT TURNER, in his official capacity as Secretary of Housing and Urban Development,

Defendants.

[PROPOSED] BRIEF OF *AMICI CURIAE* 12,041 HARVARD ALUMNI IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

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INTRODUCTION

As alumni of Harvard University, we submit this brief in support of the academic freedom and integrity of Harvard and educational institutions across America—all of which must be able to educate students consistent with their missions and values, free from political interference.

The Harvard alumni community is more than 400,000 strong. In every corner of America and the world, Harvard alumni are working to alleviate suffering; safeguard liberty and democracy; catalyze growth, prosperity, and innovation; develop new cures and technologies; promote faith and justice; foster creativity and learning; and transform the trajectories of our families, neighbors, and country for the better. However different our paths and perspectives may be, each of us has been shaped by the inscriptions on Dexter Gate in Harvard Yard: “Enter to grow in wisdom” and “Depart to serve better thy country and thy kind.”

As alumni, we are deeply alarmed by the federal Government’s reckless and unlawful attempts to assert control over the core functions of Harvard and its fellow institutions of higher education. Without due process or any recognizable basis in law—and with complete disregard for the freedoms the Constitution secures and the constraints it imposes—the Government has embarked on a campaign to deploy every power at its disposal to damage Harvard. The Government launched its campaign with threats to withhold billions in research funding in a brazen attempt to dictate and shape viewpoints at Harvard, and then abruptly terminated those funds when Harvard’s leadership did not comply—directly imperiling life-saving scientific research and innovation, the impact of which is already being felt.

The Government’s escalating attacks—and this case—are about much more than funding. The Government strikes at the very core of Harvard: the longstanding practices and values of openness, free inquiry, and mutual respect, and its founding commitment to *veritas*—the quest for

truth above all. The Government's end goal is to narrow our freedoms to learn, teach, think, and act, and to claim for itself the right to dictate who may enjoy those freedoms. As alumni, we attest that Harvard's true greatness resides in the ways we share these values and exercise these freedoms, which have long shaped how we understand and connect with one another, and how we anchor our continuing efforts to make a difference in service to the world.

IDENTITY AND INTEREST OF *AMICI CURIAE*

Amici curiae comprise 12,041 graduates of Harvard University, whose individual names, degrees, and years of graduation are included in the Appendix. *Amici* are graduates of Harvard's Faculty of Arts and Sciences—including graduates of Radcliffe College before it merged with Harvard—as well as Harvard's schools of Business, Dental Medicine, Design, Divinity, Education, Engineering, Extension, Government, Law, Medicine, and Public Health. Many of us remain active members of the Harvard community.

Amici span multiple generations and include individuals from the graduating classes of *every single year* from 1950 to 2025. Collectively, our time at Harvard extends over the last 80 years; together, we have built and embraced community across cultures, disciplines, ideologies, and geographies. We reside in and represent all fifty states, D.C., and the U.S. territories, and dozens of countries around the world. Some of us travelled thousands of miles across multiple borders to enroll at Harvard, while others of us have never left the neighborhood. Many of us are first generation college-goers, and others followed in our grandparents' footsteps on the paths of Radcliffe and Harvard. We embody and reflect a multitude of backgrounds, beliefs, talents, and trajectories. And we both defy and expand the labels and stereotypes about Harvard.

Amici are part of a vast and vital community supporting and transforming the nation and the world. We are apple-growers, health ministers, youth pastors, cancer scientists, safety officers,

musicians, homebuilders, energy entrepreneurs, librarians, and fighter pilots. We are researchers and explorers whose discoveries spur innovation, heighten our understanding of one another, and improve, enrich, and save lives. We are artists, storytellers, and truth-seekers who chronicle the human condition and stretch the boundaries of who we can become. We are philanthropists and volunteers, big and small, who dedicate our time and resources in clinics, kitchens, and classrooms. We are daily caregivers in our communities, who live and work alongside our neighbors combating suffering and loneliness, bridging divides and building faith, safeguarding shared spaces and rights, and supporting lifelong learning.

And we are creators of just and sustainable solutions to the world's most pressing problems and drivers and stewards of economic and financial growth and stability. According to a 2015 study, Harvard alumni have founded over 146,000 ventures—one-third of which are nonprofits—collectively employing over 20 million people and generating over \$3.9 trillion in annual revenue. Nearly 40% of alumni have founded a for-profit or nonprofit organization—including many of the *amici* here.¹

As *amici*, we are profoundly interested in ensuring that Harvard continues to foster the education and development of its vibrant community, consistent with its mission, purpose, and values. What binds us as Harvard alumni is our shared sense of how Harvard's mission and values continue to inspire our commitment to make a difference in the world—however we each identify and pursue that goal. In joining this brief, we shared testimonials: of how Harvard instilled a sense

¹ See *Harvard Impact Study: Global Economic & Social Impact of Harvard Alumni*, HARVARD BUSINESS SCHOOL (2015), https://www.alumni.hbs.edu/Documents/volunteers/ImpactReport_GlobalEconomic.pdf (last visited June 8, 2025); see also Christina Pazzanese, *Harvard's Alumni Impact*, HARVARD GAZETTE (Dec. 8, 2015), available at <https://news.harvard.edu/gazette/story/2015/12/harvards-alumni-impact/>.

of moral obligation to stand up for our freedoms and convictions, transformed trauma into purpose, grounded our pursuit and exploration of wisdom and truths, and energized our commitment to the founding ideals of American democracy. As one alumni remarked, Harvard “made me fall in love with America.” We recognize that the unencumbered pursuit of knowledge at Harvard and our fellow educational institutions—where we learn how to think, not what to think; where there is no single right answer; and where we invest in creativity, experimentation, and research—serves humanity and furthers the common good. We understand the essential role of education in our public lives and in our democracy, and the importance of opening classroom doors to diversity and difference—especially to those who have not yet had an opportunity to enter—while according dignity to all. And we know that Harvard’s battle is pivotal in the larger war over America’s freedoms, values, and role in the world.

We also have a direct interest in Harvard’s governance. In 1642, the legislature of the Massachusetts Bay Colony established the Board of Overseers as Harvard’s original governing board. Today, that board remains composed of, and elected by, Harvard alumni. Consequently, we hold a unique perspective on the importance of Harvard as an independent academic institution, as well as a responsibility for maintaining its commitment to academic freedom, truth, and service to the world.

ARGUMENT

Established in 1636, Harvard is America’s oldest university. Harvard was founded 140 years before the independence of the United States. Harvard’s alumni informed the foundations of our constitutional democracy and, ever since, Harvard has educated generations of students and student-leaders to serve the nation and make a difference in the world. The impact of Harvard’s

400-year-long educational and spiritual investment in people’s lives is as immeasurable as it is indisputable.

Harvard’s enduring sense of purpose and commitment is embedded in the missions of the schools across Harvard: “alleviating suffering and improving health and well-being for all” (Medical School); ensuring “people can live in societies that are more safe, free, just, and sustainably prosperous” (Kennedy School); shaping a “dynamic and diverse community” into “visionary scholars, innovative educators, and creative leaders” (Graduate School of Arts and Sciences); advancing “justice” (Law School); “improv[ing] health and promot[ing] equity so everyone can thrive” (School of Public Health); forging a “just world at peace across religious and cultural divides” (Divinity School); building a “resilient, just, and beautiful world” (School of Design); “making the broadest impact possible” by “expanding opportunities and outcomes for learners everywhere” (School of Education); “bridg[ing] disciplines . . . to advance foundational science, and to achieve translational impact” (School of Engineering); preserving “academic freedoms” and “open access and active learning” (Extension School); “mak[ing] a lasting, positive impact on society” (School of Dental Medicine); “educat[ing] leaders who make a difference in the world” (Business School); and “educating the citizens and citizen-leaders for our society” and to serve the world (Harvard College).²

² *Mission, Community Values, and Diversity Statement*, HARVARD MEDICAL SCHOOL, <https://hms.harvard.edu/about-hms/campus-culture/mission-community-values-diversity-statement> (last visited June 8, 2025); *About*, HARVARD KENNEDY SCHOOL, <https://www.hks.harvard.edu/more/about> (last visited June 8, 2025); *About*, HARVARD GRADUATE SCHOOL OF ARTS AND SCIENCES, <https://gsas.harvard.edu/about> (last visited June 8, 2025); *The Harvard Law School Shield*, HARVARD LAW SCHOOL, <https://hls.harvard.edu/about/the-harvard-law-school-shield/> (last visited June 8, 2025); *Mission and Vision*, HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH, <https://hspph.harvard.edu/mission-and-vision/> (last visited June 8, 2025);

Harvard's missions are also embedded in the values and commitments that it practices and conveys. *Veritas*—truth—has long served as our North Star, guiding us to challenge prevailing orthodoxies. The University-wide Statement of Values emphasizes the “[c]onscientious pursuit of excellence” and “integrity in all dealings” to “advance the frontiers of knowledge” and to equip individuals “for fulfilling experiences of life, work, and inclusive leadership in a complex world.”³ The Business School similarly emphasizes the importance of building spaces of “trust and mutual respect, free expression and inquiry” that reflect “a commitment to truth, excellence and lifelong learning.”⁴

These missions and values are not abstract aspirations; they are animating commitments, deeply embedded, practiced, and embodied in our lives and in the continuing life of the university. They resonate when the university has the freedom to govern itself, and can educate and cultivate an academic and learning community that aligns with its mission. Indeed, universities like Harvard

History and Mission, HARVARD DIVINITY SCHOOL, <https://www.hds.harvard.edu/about/history-and-mission> (last visited June 8, 2025); *About GSD*, HARVARD GRADUATE SCHOOL OF DESIGN, <https://www.gsd.harvard.edu/> (last visited June 8, 2025); *About HGSE*, HARVARD GRADUATE SCHOOL OF EDUCATION, <https://www.gse.harvard.edu/about> (last visited June 8, 2025); *Mission & Vision*, HARVARD JOHN A. PAULSON SCHOOL OF ENGINEERING AND APPLIED SCIENCES, <https://seas.harvard.edu/about-us/school-overview/mission-vision> (last visited June 8, 2025); *About*, HARVARD EXTENSION SCHOOL, <https://extension.harvard.edu/about/> (last visited June 8, 2025); *About HSDM*, HARVARD SCHOOL OF DENTAL MEDICINE, <https://www.hsdm.harvard.edu/about-hsdm> (last visited June 8, 2025); *Community Values*, HARVARD BUSINESS SCHOOL, <https://www.hbs.edu/about/campus-and-culture/community-values> (last visited June 8, 2025); *Mission, Vision & History*, HARVARD COLLEGE, <https://college.harvard.edu/about/mission-vision-history> (last visited June 8, 2025).

³ *Harvard University Revised Values Statement*, HARVARD UNIV. PRESIDENTIAL TASK FORCE ON INCLUSION & BELONGING, https://inclusionandbelongingtaskforce.harvard.edu/files/inclusion/files/vii._appendix_d._revised_values_statement.pdf (last visited June 8, 2025).

⁴ *Community Values*, HARVARD BUSINESS SCHOOL, <https://www.hbs.edu/about/campus-and-culture/community-values> (last visited June 8, 2025).

can only manifest their mission, values, and foundational principles if they can operate with academic freedom, which emerges from the bedrock constitutional freedoms of expression, speech, and association outlined in the very First Amendment to our Constitution.

We are living in an increasingly intertwined world. Promoting these missions and values requires open and robust learning environments, where debate, inquiry, and genuine disagreement are encouraged and seen as the root of learning and growth. It requires spaces that recognize that our humanity resonates and sustains when our quest is to open and cultivate minds, not to close them. Cultivating citizens who have a sense of their commitments and responsibilities to one another regardless of background, perspective, faith or nationality requires building spaces that demand dignity and respect across difference, where all viewpoints and perspectives are welcomed.

In every sense, we have benefited from Harvard's missions and values, along with the freedoms to learn and inquire, to think, to voice, and to act. The autonomy and freedoms present at Harvard and fellow educational institutions have long made them America's competitive advantage and a central engine of the dynamism and industriousness that have pushed America forward. Along with generations of students at Harvard, we have carried and embodied the American spirit of innovation and optimism.

Yet today, Harvard faces an unprecedented, existential threat. Instead of embracing our shared future, the Government is sowing division and fear, and trying to break us apart. Simply put, Harvard is under siege. The Government has waged an escalating campaign of bullying, coercion, and extortion to take over Harvard's core functions and dictate what is taught and voiced on Harvard campuses, and by whom. In retaliation for Harvard's refusal to acquiesce to the

Government's threats and demands, the Government has slashed billions of dollars in federal funds for life-saving scientific and medical research and innovation; moved to curtail and destroy the educational lives of international students and scholars (an attempt this Court rightly restrained); and proceeded to sever all ties with Harvard. It is not surprising that Harvard, an anchor and pillar of America during its founding and continuing today, is where the Government brought its wrecking ball. It is also no surprise that so many people throughout this country and across the globe have rallied for Harvard to stand up and present a strong front line, as Harvard is just the beginning in this unnecessary and unprecedeted war against education.

The Government has justified its attacks on Harvard, in part, on the basis of concerns over antisemitism on campus. We unequivocally condemn antisemitism and every other form of discrimination and hate, which have no place at Harvard or anywhere else in our society. Yet charges of antisemitism—particularly without due process and proper bases and findings by the Government—should not be used as a pretext for the illegal and unconstitutional punishment and takeover of an academic institution by the Government. Indeed, most of the Government's demands on Harvard have little or nothing to do with combating antisemitism, or any other kind of bias and discrimination, on campus. Rather, its demands stifle the very engagement, teaching, and research that bring communities together, heighten our understanding of one another, and advance solutions that directly benefit us all.

Harvard and our fellow educational institutions nationwide are under sustained assault by a Government that seeks to undermine the core freedoms that make higher education a force for progress and democracy for all. Even if the attacks at Harvard—ranging from retaliatory cuts to federal funding, to Government control over curriculum and speech, to efforts to expel

international students and faculty—were good-faith efforts to improve Harvard, they would still need to be pursued through lawful channels and with due process. Values cannot be imposed by fiat; the heavy hand of the Government is incompatible with open inquiry, the pursuit of truth, and the academic freedom guaranteed by the First Amendment.

As alumni, we know what these values make possible—because we have lived them. We have carried these values into classrooms and courtrooms, hospitals and houses of worship, laboratories and legislatures, and neighborhoods across the world. Attacking our schools for upholding those freedoms and values is to attack the very foundation on which we have built our professional and personal lives. The Government’s war against Harvard is not just about Harvard: it is an attempt to discredit and dismantle education, disrupt independent thought, and divide the nation. We cannot let these tactics succeed—not at Harvard, and not in America.

CONCLUSION

We support Harvard’s refusal to accede to the Government’s unconstitutional and unlawful demands to usurp the university’s independence and abrogate its academic freedom. The escalating campaign against Harvard threatens the very foundation of who we are as a nation. We embrace our responsibility to stand up for our freedoms and values, to safeguard liberty and democracy, and to serve as bulwarks against these threats to the safety and well-being of all.

Educational institutions like Harvard are a work in progress, just like our democracy. Indeed, we are all works in progress. As alumni of Harvard—12,041 strong and nearly four centuries in the making—we submit this brief to ask the Court to allow us to continue the work of making progress. After all, progress is best made possible when we have faith and invest in our institutions, not when we seek to destroy them.

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**pro hac vice application forthcoming*